

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1171 be amended to read as follows:

- 1 Page 7, between lines 13 and 14, begin a new paragraph and insert:
- 2 "SECTION 7. IC 16-41-8-1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) Except as
- 4 provided in subsections (d) and (e) **and IC 16-41-39.4-4**, a person may
- 5 not disclose or be compelled to disclose medical or epidemiological
- 6 information involving a communicable disease or other disease that is
- 7 a danger to health (as defined under rules adopted under IC 16-41-2-1).
- 8 This information may not be released or made public upon subpoena
- 9 or otherwise, except under the following circumstances:
- 10 (1) Release may be made of medical or epidemiologic information
- 11 for statistical purposes if done in a manner that does not identify
- 12 an individual.
- 13 (2) Release may be made of medical or epidemiologic information
- 14 with the written consent of all individuals identified in the
- 15 information released.
- 16 (3) Release may be made of medical or epidemiologic information
- 17 to the extent necessary to enforce public health laws, laws
- 18 described in IC 31-37-19-4 through IC 31-37-19-6, IC 31-37-19-9
- 19 through IC 31-37-19-10, IC 31-37-19-12 through IC 31-37-19-23,
- 20 IC 35-38-1-7.1, and IC 35-42-1-7, or to protect the health or life
- 21 of a named party.
- 22 (b) Except as provided in subsection (a), a person responsible for
- 23 recording, reporting, or maintaining information required to be reported
- 24 under IC 16-41-2 who recklessly, knowingly, or intentionally discloses

or fails to protect medical or epidemiologic information classified as confidential under this section commits a Class A misdemeanor.

(c) In addition to subsection (b), a public employee who violates this section is subject to discharge or other disciplinary action under the personnel rules of the agency that employs the employee.

(d) Release shall be made of the medical records concerning an individual to the individual or to a person authorized in writing by the individual to receive the medical records.

(e) An individual may voluntarily disclose information about the individual's communicable disease.

(f) The provisions of this section regarding confidentiality apply to information obtained under IC 16-41-1 through IC 16-41-16."

Page 7, line 25, delete "and".

Page 7, line 26, delete "." and insert ";".

Page 7, between lines 26 and 27, begin a new line double block indented and insert:

**"(C) the gender;**

**(D) the race; and**

**(E) any other information that is required to be included to qualify to receive federal funding."**

Page 7, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 10. IC 16-41-39.4-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 4. (a) Notwithstanding IC 16-41-8-1, information, including a child's name, address, and demographic information, that is gathered after January 1, 1990, concerning the concentration of lead in the blood of a child less than seven (7) years of age shall be shared with:**

**(1) the federal Department of Health and Human Services;**

**(2) the state department;**

**(3) the family and social services administration; and**

**(4) local health departments;**

**to determine the prevalence and distribution of lead poisoning in children less than seven (7) years of age.**

**(b) Notwithstanding IC 16-41-8-1, information described in subsection (a) that is gathered after July 1, 2002, shall be shared with organizations that administer state and local programs covered by the United States Department of Housing and Urban Development regulations concerning lead-based paint poisoning prevention in certain residential structures under 24 CFR Subpart A, Part 35 to ensure that children potentially affected by lead-based paint and lead hazards are adequately protected from lead poisoning.**

**(c) A person who shares data under this section is not liable for any damages caused by compliance with this section.**

SECTION 11. IC 34-30-2-83.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

- 1 [EFFECTIVE JULY 1, 2002]: **Sec. 83.3. IC 16-41-39.4-4 (Concerning**
- 2 **sharing information involving the concentration of lead in the**
- 3 **blood of children less than seven (7) years of age ).".**
- 4     Renumber all SECTIONS consecutively.  
      (Reference is to HB 1171 as printed January 23, 2002.)

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Representative Avery